

Applicant : Christopher A. Rygaard
Serial No. : 09/851,763
Filed : May 8, 2001
Page : 12 of 15

Attorney's Docket No.: 18511-008001

REMARKS

I. Interview Summary

On January 26, 2005, an in-person interview was conducted between Examiners, Gregory Morse and Peter Poltorak, and Applicant's representative, Mark D. Kirkland. During the interview, the participants discussed *NIST Special Publication 800-19 - Mobile Agent Security* by Jansen et al. ("Jansen") and the pending and new claims. No agreement was reached with respect to claim 19. However, agreement was reached with respect to claim 20. Specifically, the participants agreed that Jansen fails to disclose the combination of application sensitivity and node vulnerability as conditions for requesting authentication.

II. Objection to the Drawings / Amendment to the Specification

In paragraph 4 of the Office Action, Examiner objects to the drawings because "Host N" cited in the specification on page 6, line 23 is not present in FIG. 3. As indicated in the specification, FIG. 3 discloses a server computer 52 and one or more hosts computers 54. FIG. 3, which includes a block labeled 52 and five blocks labeled 54, is consistent with the specification. However, the blocks labeled 54 in FIG. 3 are distinguished as "Host 1", "Host 2", "Host 3", "Host 4", and "Host 5," while the specification distinguishes hosts as "Host 1, Host 2 and Host N." Thus, the specification has been amended to list Hosts 1 through 5 for consistency with FIG. 3. The amendment adds no new matter. Therefore, Applicant respectfully submits that the drawings should no longer be objected to.

III. Objections to the Claims

In paragraph 6 of the Office Action, Examiner objects to claims 9, 18, 27 and 36 because the term "device" in "one or more device" should be plural. In response, Applicant has amended claims 9, 18, 27 and 36 to change the term "device" to "devices." The amendment adds no new matter. Therefore, Applicant respectfully submits that the claims should no longer be objected to.

Applicant : Christopher A. Rygaard
Serial No. : 09/851,763
Filed : May 8, 2001
Page : 13 of 15

Attorney's Docket No.: 18511-008001

IV. Information Disclosure Statement

In paragraph 7 of the Office Action, Examiner notes that several references have been placed in the application file, but not considered on their merits, because the references do not have publication dates. In response, each of the noted references have been resubmitted in an attached Information Disclosure Statement. As discussed with the Examiner, a statement indicating that each of the references were available before the priority date sufficiently meets the date requirement. Applicant respectfully request that Examiner initial the listed references and consider them on their merits.

V. Rejections to the Claims under 35 U.S.C. § 112

In paragraph 9 of the Office Action, Examiner rejects claims 27 and 36 under 35 U.S.C. § 112 as being indefinite because the phrase "the host" lacks antecedent basis. In response, Applicant has amended claims 27 and 36 to change the phrase "the host" to "a node" which has no reliance on an antecedent. Therefore, Applicant respectfully submits that the claims should no longer be rejected as being indefinite.

VI. Rejections to the Claims under 35 U.S.C. § 102(b)

In paragraph 11 of the Office Action, Examiner rejects claims 1-36 under 35 U.S.C. § 102(b) as being anticipated by Jansen.

Claim 1 has been amended to include limitations similar to claim 20. The amendment adds no new matter. Claim 1 is directed to a mobile application security system including a management and security console comprising a means for monitoring, a means for determining and means for requesting. The means for determining acts prior to dispatch and responsive to a determination of both mobile application sensitivity and node vulnerability.

Jansen generally discloses a survey of security issues associated with mobile software agent technology. Jansen abstractly discloses that an agent system addresses some security issues by implementing a client-server architecture. (p. 19). In the case of decentralized systems, Jansen discloses platforms that prevent the receipt of agents not defined as a trusted

Applicant : Christopher A. Rygaard
Serial No. : 09/851,763
Filed : May 8, 2001
Page : 14 of 15

Attorney's Docket No.: 18511-003001

peer within the receiving platform's security policy. (Id.). With respect to authentication, Jansen merely discloses different degrees of authentication, from the mobile agent itself, based on level of sensitivity of a transaction or data. (p. 11). Thus, Jansen discloses high-level observations without specific techniques for solving security issues.

However, Jansen fails to teach or suggest limitations of amended claim 1. Specifically, while claim 1 recites "means for determining if authentication is required...prior to dispatch" at a management and security node computer, Jansen only discloses a client-server architecture without addressing an associated authentication technique. Moreover, Jansen teaches away from the central architecture in disclosing a decentralized system having platforms to reject untrusted peers without an opportunity to authenticate. In the decentralized system of Jansen, the mobile agent has already traveled through the system, potentially engaging malicious behavior throughout the system and platform until finally being rejected by the platform. Also, Jansen does not allow a mobile application from an untrusted peer to authenticate (e.g., a non-sensitive mobile application dispatched from a non-vulnerable, but untrusted node). Furthermore, while claim 1 conditions authentication on "determining if the mobile application is a sensitive application and determining if the dispatching node is a vulnerable node," Jansen only rejects mobile agents from untrusted peers. Thus, trusted peers that are vulnerable and/or dispatch a sensitive mobile agent may be allowed to execute on the platform. Applicant respectfully submits that Jansen fails to teach or suggest every limitation of claim 1. Therefore, claim 1 is patentable over Jansen.

Since amended independent claims 10, 19 and 28 and new claims 37 and 47 include similar limitations to those discussed in claim 1, these claims and associated dependent claims are patentable for at least the same reasons as claim 1. Amendments have been made to the dependent claims in order to maintain consistency with amended base claims and to further clarify the claims. The amendments add no new matter.

Applicant : Christopher A. Rygaard
Serial No. : 09/851,763
Filed : May 8, 2001
Page : 15 of 15

Attorney's Docket No.: 18511-008001

VII. Conclusion

Therefore, Applicant respectfully submits that the presented claims are patentable over Jansen and in condition for allowance.

Pursuant to 37 C.F.R. § 1.136, applicant hereby petitions that the period for response to the action dated August 26, 2004, be extended for two months to and including January 26, 2005. Please charge the \$225 extension fee to Deposit Account No. 06-1050.

Please charge the fee of \$200 for 2 additional independent claims and \$225 for 9 additional claims in addition to the two month extension of time fee, to Deposit Account No. 06-1050. Please charge any deficiency in fees or credit any over payment to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 1/26/05

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